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REMARKS/ARGUMENTS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments and the following remarks.

The Examiner has acknowledged Applicant's claim of priority under 35 U.S.C. § 119 and has requested a certified copy of German Application DE 199 50 751.1 filed on October 21, 1999. Applicant intends to submit a certified copy of the priority application shortly.

The Examiner has objected to the Information Disclosure Statement filed on May 22, 2001 as not including a copy of German Patent No. 4,131,561, listed therein. Applicant submits herewith a copy of the PTO form 1449 previously filed on May 22, 2001 along with a copy of German Patent DE 41 31 561 A1. Applicant believes that the requirement for a concise explanation of the relevance of this non-English language reference has been satisfied by the submission of an English language version of the International Search Report indicating the degree of relevance found by the foreign office (See MPEP § 609).

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The Examiner has objected to the drawings under 37 C.F.R. § 1.83(a) as not showing every feature specified in the claims. In particular, the feature of an "oblong center opening" recited in former claims 41 and 49 was said to be absent from the drawings.

Applicant has amended the specification to delete the term "oblong" with respect to a center opening and replace this term with the term "longitudinal" in all instances. Additionally, the claims have been rewritten to recite a "longitudinal center opening" rather than an "oblong center opening". Applicant submits that this change does not constitute new matter as the drawings as filed clearly show a longitudinal center opening. As further evidence that a longitudinal center opening is supported by the disclosure as filed, Applicant encloses herewith a copy of the English language abstract of the corresponding published International Application which refers to a longitudinal opening. Applicant believes the above-referenced amendments overcome the Examiner's objections to the drawings.

The Examiner has not entered the substitute specification filed on January 4, 2002 and has stated that the proposed

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additional paragraphs on pages 4 and 5 of the substitute specification appear to add new matter not wholly supported by the original disclosure. Applicant hereby withdraws the substitute specification filed on January 4, 2002 and requests that the changes listed above be incorporated into the originally-filed specification. The specification has been amended to address the objections to the drawings, to add appropriate section headings, to delete references to claim numbers and to add a substitute Abstract of the Disclosure. No new matter has been added.

Claims 41, 44, 45, 51, 52, 54 and 55 have been objected to for various informalities. Claims 41-55 have been rejected under 35 U.S.C. § 112 for failing to particularly point out and distinctly claim the invention. Claims 41-55 have been canceled without prejudice and new claims 56-68 have been added to more clearly define the invention. Applicant believes new claims 56-68 as presented overcome the objections and rejections under § 112.

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The Examiner has rejected claim 49 under 35 U.S.C. § 102(b) as anticipated by *Lagace et al*, U.S. Patent No. 5,186,050. Claims 41, 42, and 47 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Newell*, U.S. Patent No. 2,362,298 in view of *Star*, U.S. Patent No. 988,832. Claim 48 was rejected under 35 U.S.C. § 103(a) as unpatentable over *Newell* in view of *Star* and further in view of *Lagace et al.*, U.S. Patent No. 5,186,050. Claims 49 and 50 were rejected under 35 U.S.C. § 103(a) as unpatentable over *Newell* in view of *Hikita*, U.S. Patent No. 3,874,317.

The rejections are respectfully traversed.

Claims 41-55 have been canceled without prejudice and new claims 56-68 have been added. Applicant notes that the features of former independent claim 41 and dependent claim 43 have been incorporated into new independent claim 56 and the features of former independent claim 49 and dependent claim 51 have been incorporated into new independent claim 63. Applicant further notes that canceled claims 43 and 51 were rejected under § 112, but were not rejected based on the cited references of record. As new independent claims 56 and 63 have been drafted to address

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the rejections under § 112 and incorporate the features of claims 43 and 51, respectively, Applicant believes claims 56 and 63 are in condition for allowance.

The remaining claims, 57-62 and 64-68 all depend ultimately on either claim 56 or claim 63. According, Applicant believes the remaining claims are also in condition for allowance.

In summary, the specification has been amended to address the objections to the drawings, to add appropriate section headings, to delete references to the claim numbers and to add a substitute Abstract of the Disclosure. No new matter has been added. Claims 41-55 have been canceled without prejudice and new claims 56-68 has been added. Claims 56-68 have been written to overcome the objections and rejections under §112 and independent claims 56 and 63 incorporate features of claims not rejected over the references of record. In view of the foregoing, it is respectfully requested that the claims be allowed and that this case be passed to issue.

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Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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Enclosure(s): -Attachment A (Replacement Abstract)
-PTO -1449 with copy of DE 41 31 561 A1 and
Intl. Search report
-WO 01/28850 A1 (abstract)
-Rule 136(a) and 17(a)(2) Petition (in duplicate)
-check for \$215.00

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on October 29, 2004



Maria Guastella